

Monte J. White & Associates, PC
Monte J. White
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 08-70319-HDH-13
	§
LaWonda Jean Hicks	§
	§ JUDGE HARLIN D. HALE
	§
	§ HEARING DATE: 3/10/2010
DEBTORS	§ HEARING TIME: 11:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 3/10/2010, which is at least twenty-eight (28) days from the date of service hereof, at 11:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 222, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 01/26/2010, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

LaWonda Jean Hicks

§ CASE NO. 08-70319-HDH-13

§

§ HEARING DATE: 3/10/2010

DEBTOR(s)

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 01/26/2010

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 8/5/2008
2. Date of Section 341 Meeting: 9/2/2008
3. First Payment Date: 9/4/2008
4. Date of Confirmation: 10/20/2008
5. Total Plan Term Prior to this Modification: 55
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 18
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 37
8. Amount of Arrears through the month prior to the date the Modification is filed: \$238.00
9. Date plan payments are to resume: 3/4/2010
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$15,516.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$15,754.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$1,996.00 (includes arrears)
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 6/22/2009

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- x INCREASE monthly payment from \$879.00 per month to \$1,094.00 per month
(must coincide with resume date shown in item 9 above)
- Extend months from months to months (not to exceed 60 calendar
months from month of First Payment Date)
- Add balloon payment of in month (indicate how the balloon payment will be
made)

All modifications that include a balloon payment will require testimony.

Any arrears indicated in item 8 above shall be cured by the following method: Prior to hearing on 3/10/2010 or in the alternative, Debtor requests six month interlocutory order.

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$1,094.00 will resume on or before 3/4/2010 for 37 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$50,035.00 to \$57,990.00

If the base amount has changed complete the following:

- | | |
|--|--------------------|
| 1. Total Paid in as of the month prior to Modification Approval: | \$17,512.00 |
| 2. (+)Plus Total Payments to be made through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$40,478.00 |
| 3. (=) New Base Amount | <u>\$57,990.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

x The unsecured creditor pool remains \$ 0 .

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

A	Wells Fargo Financial Texas, Inc.	S-post petition mortgage arrears	\$6,725.64	\$181.77 per month for 37 months
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Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Per Agreed Order entered with the Court on 1/14/2010.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 01/28/2010, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7
Case 08-70319-hdh13
Northern District of Texas
Wichita Falls
Tue Jan 26 14:35:34 CST 2010

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

ACE Credit Services
1231 Greenway Dr
Suite 700
Irving, TX 75038-2556

Ace Americas Cash Expr.
P O Box 740933
Dallas,Tx 75374-0933

Allied Interstate Inc
435 Ford Rd Ste 800
Minneapolis, MN 55426-1096

Bay Area Credit Service LLC-AT & T Texas
97 E Brokaw Road Suite No. 240
San Jose, CA 95112-1031

Brice, Vander Linden & Wernick, P.C.
9441 LBJ Freeway Suite 250
Dallas, Texas 75243-4640

Capital Management Services, Inc-Chase
726 Exchange Street Suite 700
Buffalo, NY 14210-1464

Capital One Auto Finance
3901 N Dallas Pkwy
Plano, TX 75093-7864

Capital One Auto Finance
P.O. Box 201347
Arlington, TX 76006-1347

Capital One Auto Finance Department
P.O. BOX 201347
ARLINGTON, TX 76006-1347

Capital One Auto Finance, CO Ascension Capit
P.O. Box 201347
Arlington, TX 76006-1347

Capitol Loans
3100 Seymour Highw
Wichita Falls, TX 76301-1850

City of WF, WFISD, Wichita County
CO Perdue Brandon Fielder Collins & Mott
P.O. Box 8188
Wichita Falls, Texas 76307-8188

Clinics of North Texas
P.O. Box 97547
Wichita Falls, Texas 76307-7547

Direct Energy
P.O. Box 180
Tulsa, OK 74101-0180

Direct Energy
PO Box 566648
Houston, TX 77256-6648

ECMC
7325 Beaumont Springs
Suite 200
Richmond, VA 23225-5563

ECMC
7325 Beaufont Springs
Suite 200
Richmond,VA 23225-5563

EZ Money
2603 5th St.
Wichita Falls, Texas 76301-1935

Edfinancial Services
PO Box 36014
Knoxville, TN 37930-6014

Edfinancial Services for Chase
120 N Seven Oaks Drive
Knoxville, TN 37922-2359

First Premier Bank
3820 N Louise Ave
Sioux Falls, SD 57107-0145

First Premier Bank
PO Box 5524
Sioux Falls, SD 57117-5524

GC Services
Attn: Bankruptcy
6330 Gulfton
Houston, TX 77081-1198

Gold Star
612 W Main
Denison, TX 75020-3210

IHR Alarms
PO Box 245
Wichita Falls TX 76307-0245

IRS Special Procedures
1100 Commerce St., Room 951
Mail Stop 5029 DAL
Dallas, TX 75242-1001

Integrity Texas Funding
3440 Preston Ridge Rd., Ste. 500
Alpharetta, GA 30005-3823

Integrity Texas Funding, LP
84 Villa Rd
Greenville, SC 29615-3052

Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Lacks Furniture
2391 NE Loop Suite 201
San Antonio, TX 78217

Lattrina Ilene Hicks
1401 Archer City Hwy
Apt 401
Wichita Falls, TX 76302

Monte J. White & Associates
1106 Brook Ave
Wichita Falls TX 76301-5009

NCO Financial Systems Inc-Sage Telecom
507 Prudential Road
Horsham, PA 19044-2308

National Asset Management
PO Box 840
Moon Township, PA 15108-0840

NelNet
PO Box 82561
Lincoln, NE 68501-2561

Nelnet for Texas Guaranteed Student Ln.Corp.
Texas Guaranteed Student Loan Corp.
PO Box 83100
Round Rock, TX 78683-3100

Premier Bankcard -Charter
PO BOX 2208
Vacaville CA 95696-8208

Recovery Management Systems Corporation
25 SE 2nd Ave. Ste. 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Salute-Correspondence
PO Box 105555
Atlanta, GA 30348-5555

Salute-UTB
Attn: Card Member Services
PO Box 105555
Atlanta, GA 30348-5555

Sun Loan Company
3146 5th St Ste H
Wichita Falls, TX 76301-1827

Texhoma Financial Services-GI Assoc.
P.O. Box 4508
Wichita Falls, Texas 76308-0508

Tribute-FBOFD
Pob 105555
Atlanta, GA 30348-5555

United Regional
1600 8th Street
Wichita Falls, TX 76301-3108

WICHITA FALLS CITY, ISD & WICHITA COUNTY
CO PERDUE BRANDON FIELDER COLLINS & MOT
PO BOX 8188
WICHITA FALLS TX 76307-8188

Wells Fargo Financial
1501 Midwestern Parkway
Wichita Falls, TX 76302-1577

Wells Fargo Financial Texas Inc
4137 121st Street
Urbandale IA 50323-2310

Wells Fargo Financial Texas, Inc.
c/o Christopher Naylor
4801 Woodway, Ste. 420W
Houston, Texas 77056-1822

Western Shamrock Corporation
Attention: Bankruptcy
801 S Abe St
San Angelo, TX 76903-6771

Wichita Falls Federal Credit Union
2100 Seymour Hwy
Wichita Falls, TX 76301-3004

World Finance
928 Indiana
Wichita Falls, TX 76301-6789

LaWonda Jean Hicks
2710 Ridgeway Dr.
Wichita Falls, TX 76306-5007

Monte J. White
Monte J. White & Associates, P.C.
1106 Brook Avenue
Wichita Falls, TX 76301-5009

UST U.S. Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-1011

Walter 12,13 OCheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Wells Fargo Financial Texas, Inc.

(d)Wells Fargo Financial Texas Inc
4137 121st Street
Urbandale IA 50323-2310

End of Label Matrix	
Mailable recipients	57
Bypassed recipients	2
Total	59